

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61917 of 2018

Arising Out of PS. Case No.-109 Year-2018 Thana- CHOUTARWA District- West
Champaran

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Omprakash Yadav, S/o Tara Yadav @ Tarachandra Yadav, R/o Vill.- Naya
Tola, Bathuwariya, P.S.- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 07-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
27.05.2018 in a case registered for the offence punishable under
Section 392 of the Indian Penal Code.

The prosecution case is that on 25.05.2018 while the
informant was going on a motorcycle, two motorcycle borne
miscreants stopped him and robbed Rupees Seventy Thousand
on pistol point from him, leading to registration of FIR against
unknown. The petitioner and co-accused Mankush Yadav were
arrested during investigation on suspicion.

It is submitted by learned counsel for the petitioner
that the petitioner was found travelling as a pillion rider with



Mankush Yadav when he was apprehended, nothing has been recovered from his possession and petitioner has not been put on test identification parade till date. A statement has been made in paragraph 3 of the petitioner that the petitioner is not having any criminal antecedent. It is further submitted that co-accused Mankush Kumar Yadav has been granted bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 68142 of 2018.

Learned APP submits that on suspicion the petitioner has been apprehended, however, submits that the case diary does not reflect that petitioner has been put on TIP.

Considering the nature of accusation based on mere suspicion, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Bagaha, West Champaran in connection with Chautarva (Bathwariya) P.S. Case No. 109 of 2018.

(Dinesh Kumar Singh, J)

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